

**The Precedent of the Joint Committee on
Atomic Energy**

In his two Senate speeches urging the formation of a Joint Congressional Committee on Intelligence, Senator Mansfield has urged the precedent of the Joint Congressional Committee on Atomic Energy. He stated that the latter Committee "offers a model for Congressional participation in the control of CIA."

The purpose of a Congressional committee is usually considered to be one of investigating for, and to plan and to recommend on, legislation. The control of an Executive department under the doctrine of separation of powers lies with the Executive Branch and not the Congress. If the element of control which the Joint Congressional Committee exercises over the programs of the Atomic Energy Commission are to be a precedent for a Joint Congressional Committee on Central Intelligence, an almost unworkable situation will exist right from the start.

Senator Mansfield points out that the AEC benefits because the Committee provides the Commissioners with a clear channel into which they can direct their legislative problems. However, the AEC's activities require extensive legislation affecting people in many fields. These include pre-emptive relationships in patents and property, civil defense, control of materials, manufacture of weapons, and stringent judicial penalties for violations. Thus, the Joint Committee has a continuing problem of studying atomic energy activities in order to make sure that legislation remains consistent with the problem.

Legislative requirements of the AEC are much more numerous than those of CIA. CIA has averaged less than one law a year, whereas there were more than 20 bills on atomic energy introduced into the 82nd Congress and 14 up to the present time in the 83rd. Furthermore, the CIA bills largely run to the administration of the Agency. The atomic energy bills before the Joint Committee have covered subjects ranging from the abolition of the AEC itself through construction projects, housing facilities in Oak Ridge, self-government at Hanford, exemption

from state and local taxation, to the development and production of atomic energy. One suggestion even called for rotation among the membership of the Joint Committee itself so that more members of the Congress would be aware of the atomic energy program!

On the basis of legislative workload, therefore, there would not seem to be a sufficient amount to keep a Joint Committee busy. Even on the basis of a bill a year the Armed Services Committee would be able to handle the load. Thus, all that would remain for a Joint Committee staff to do would be to review continually Agency plans and operations to justify their retention.

The benefits allegedly accruing to the AEC from the Joint Committee allegedly arise, in Senator Mansfield's view, in the development of Congressional and public confidence in the AEC "based on the secure knowledge that trusted Members of both Houses are fully cognizant of developments in atomic energy." The Senator also points out that the security of the AEC program is not periodically threatened by sporadic investigations and embarrassing questions from the Floor. It would appear that vigorous action by the Armed Services Committee could accomplish the same end. The activities of the Preparedness Subcommittee of the Senate Armed Services Committee, in the hands of Senator Lyndon Johnson, were widely acclaimed both in the press and on the Floor of Congress, and confidence in its judgements were universally expressed. The leadership of Chairman Vinson, first on the old Naval Affairs Committee and then on the House Armed Services Committee, was forceful and universally respected.

This morning's paper headlines that the hydrogen blast is 750 times worse than the Hiroshima bomb, but the sources of this story are members of the Joint Committee on Atomic Energy and not the Executive Branch, and included "an official disclosure" by the Committee Chairman that the United States has developed a ~~usable~~ hydrogen bomb and has bombers capable of carrying the new weapon to any target in the world. Would we wake up one morning to find headlines in the press that members of the Joint Committee on Central Intelligence had announced that we had an agent in Moscow and the capability of delivering agents anywhere behind the Iron Curtain?